THE HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.3228 of 2006

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Dated: February 21, 2006

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Between:

Kamisetti Katam Swamy,

S/o. late Ammanna, age: 51 years,

Occ: Cultivation, R/o. Molleru (V)

Gangavaram (M)

East Godavary District.

… Petitioner

And

The Additional Agent to the Government,

Rampachodavaram, East Godavary District,

and three others.

… Respondents

Order:

Heard the learned counsel for the petitioner and the learned Government Pleader appearing on behalf of the respondents.

2. The petitioner is the owner and possessor of land to an extent of Ac.2.33 cents covered by Sy.No.144/2 of Molleru Village, Gangavaram Mandal, East Godavari District.

3. With regard to the said land, proceedings were issued under the provisions of A.P. Scheduled Area Land Transfer Regulations 1/59 as amended by Regulation 1/70, and the second respondent, the Deputy Collector, Tribal Welfare, passed the order of eviction. As against the said order, petitioner preferred an appeal to the Additional Agent to the Government and on dismissal of the appeal; he carried the matter under revision to the Government on 12-12-2005. It is alleged that without any orders being passed on the revision petition, steps are being taken by the respondents to evict the petitioner. Hence, the present writ petition has been filed.

4. It is stated that the petitioner has purchased the said land as early as in 1921, by registered Sale Deed dated 03-02-1921, and has been in continuous and uninterrupted possession of the same. As the revision petition filed by the petitioner is pending before the Government, it is not desirable to record any finding on merits. Having regard to the fact that the petitioner has been in continuous and uninterrupted possession of the said land, I deem it appropriate to continue the possession of the said land, pending disposal of the revision petition.

5. In that view of the matter, I dispose of the Writ Petition directing the fourth respondent, the Revisional Authority to dispose of the revision petition as expeditiously as possible. Pending disposal of the revision petition, respondents are directed to maintain status quo with regard to the possession of the land covered by Sy.No.144/2 admeasuring Ac.2.33 cents, situated at Molleru Village, Gangavaram Mandal, East Godavari District.

6. Subject to the above directions, the Writ Petition is disposed of.

JUSTICE R. SUBHASH REDDY.

February 21, 2006

MRR